

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

New Prime Inc., a Nebraska
Corporation,
Prime Floral, LLC.
The Preserve Golf Club LLC
Palace Casino Resort LLC

) Case Number 16-cv-03432-DPR

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**) PLAINTIFFS' MOTION FOR
) VOLUNTARY DISMISSAL**

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Plaintiffs,

)

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V.

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American Express Company, a New York Corporation

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Defendant.

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Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiffs move the court to dismiss its case, and all its claims therewith. In support of this Motion, the Plaintiffs state as follows:

1. Plaintiffs have agreed to undertake mediation and/or arbitration proceedings against Defendant, as prescribed by Defendant's Acceptance Agreement and related Services Agreements.
2. Those Plaintiffs who are not bound by any contractual relationship with Defendant have also agreed to pursue their claims under mediation and/or arbitration proceedings with the aim of expediently and cost effectively resolving their dispute with Defendant.

Federal Rule of Civil Procedure 41(a)(1) authorizes the Court to grant Plaintiffs' motion to dismiss upon such terms and conditions deemed proper by the court. All parties have agreed to the immediate dismissal, without prejudice, of Plaintiffs' claims filed before this court.

WHEREFORE, Plaintiffs respectfully move this Court to dismiss its case, and all claims petitioned therein.

Dated: November 28, 2016

By: /s/ Justin A. Collins
Justin A. Collins
Missouri Bar No. 65388
Attorney for Plaintiffs.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by ECF, and by e-mail, on this the 28th day of November 2016, to the following parties:

**Bernadette Miragliotta
American Express Tower
200 Vesey Street
New York, NY 10285**

By: /s/ Justin A. Collins
Justin A. Collins
Missouri Bar No. 65388
Attorney for Plaintiffs.